

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
ORDINANCE COMMITTEE
MINUTES OF PUBLIC MEETING**

DATE.....October 6, 2004
TIME.....4:30 P.M.
PLACE.....COUNTY OFFICE
BLDG.
20 N. 3RD STREET
LAFAYETTE, IN 47901

MEMBERS PRESENT

Mark Hermodson
KD Benson
Dave Williams
Gary Schroeder
Robert Bowman

MEMBERS ABSENT

Dr. Carl Griffin

STAFF PRESENT

Margy Deverall
Kathy Lind
Jay Seeger, Atty.

KD Benson called the meeting to order.

I. APPROVAL OF MINUTES

Carl Griffin moved to approve the minutes of the September 16, 2004. Gary Schroeder seconded.

The motion carried by voice vote.

II. STAFF UPDATES:

a. Amending the R2 and R3 zones

Margy Deverall said that the presenter for the Heritage Trail presentation, which was slated for today's meeting, had problems with scheduling. She said that the next presentation would be at November 3, 2004 Executive Committee meeting in addition to a presentation regarding the Sagamore West Task Force.

Margy Deverall said there has been significant progress regarding the workgroup that has been discussing changes in the R zones. She presented the following proposal from the workgroup: a recommendation of changing the maximum lot coverage in the R2 zoning classification. She said there is agreement with the square footage minimum and lot width. She explained the only thing the workgroup wanted to change is the lot coverage. She said that the builders say it is difficult to construct a one-story, three-bedroom home in the R2 district without a variance. She also pointed out that this is a common problem in Lafayette.

Steve Schreckengast asked if this is a problem in new developments or in an in-fill situation.

Ron Highland, Tippecanoe County Building Commissioner, 20 N 3rd Street, Lafayette, IN, said that a lot of the problems are found in new construction, especially in older neighborhoods when the developer tears down the original structure and wants to build a new duplex on the property.

Margy Deverall said this applies to new development as well.

KD Benson asked about the recent brownstone homes construction on 5th Street.

Margy Deverall responded that project was a Planned Development.

Mark Hermodson asked what the current maximum allowed lot coverage is in the R2 zone.

Margy Deverall answered that it is currently 35%. The workgroup has also discussed the possibility of changing the percentage to between 35 and 40%.

Steve Schreckengast asked who was in the work group.

Margy Deverall said Derrin Sorensen, Brian Keene, Bill Davis and Tim Buyer.

Ron Highland said a lot of variance requests dealing with the lot coverage come from Sorrensen's properties.

Margy Deverall said they have not asked for a change in lot width. She thinks the problem is encountered with construction on the in-fill lots.

Mark Hermodson asked what the lot coverage is for R2U. He suggested a remedy to the problem might be a rezone instead of changing the lot coverage allowance in the Ordinance.

Margy Deverall said in R2U zone the maximum allowed lot coverage is 35%.

Mark Hermodson expressed his support for the change regarding construction on an in-fill, but would be unsure of duplexes in a new construction area, such as 350 S.

Margy Deverall said if builders stick with the minimum lot size for R2 zones, they are having trouble getting their standard unit on it.

Mark Hermodson suggested some of the older neighborhoods should be R2U.

Dave Williams asked if there are any other proposed changes.

Margy Deverall responded that is the only change.

Steve Schreckengast pointed out the minimum lot width in an R2 zone is 60'. He asked if most of the lots in new R2 developments are wider than 60'.

Margy Deverall said she does not know.

Steve Schreckengast said the maximum width of a building in an R2 zone could be 48' with the required 6' setbacks, it would be difficult to put a 20'-wide 2-car garage on the property as well. He believes that a 70' lot width minimum for an R2 lot would be appropriate.

Margy Deverall said that if we change the lot width minimum, then maybe there would not be a need to change the building coverage regulation.

Mark Hermodson said the problem would still exist in the older neighborhoods.

Steve Schreckengast explained that it is easier to get a variance than a rezone.

Mark Hermodson said if the rezoning would be done, hopefully the problem would be solved in the older neighborhoods.

Margy Deverall said the Monon and St. Lawrence-McAlister neighborhoods would like to get rezoned.

Steve Schreckengast said he believes those neighborhoods would change zoning classification to an R1U instead of R2U. He said he would like to see how the workgroup would feel about changing the minimum lot width in new R2 subdivisions from 60' to 70' to better accommodate 2-car garages.

Margy Deverall said that change was mentioned at the work group meeting. She said she would take the suggestions back for R2 zoning to the workgroup and to the Administrative Officers' meeting.

Steve Schreckengast asked if a one-acre R3 zone, which had 20 units needed a parking variance.

Mark Hermodson said he believes a parking variance is required, especially if the unit is three stories.

Steve Schreckengast asked if most of the new three-story units have all been Planned Developments because of the parking challenges.

Margy Deverall pointed out the parking standard is different with Planned Developments. She explained that Planned Developments tie the number of residential parking spaces to the number of bedrooms and then restrict the number of people per bedroom, rather than having the same number of parking spaces as units.

Steve Schreckengast asked what is the highest density allowed in an R3 zone.

Kathy Lind answered 15 units per acre.

Steve Schreckengast said a 20 unit per acre apartment building would need to be multiple stories, and would likely be a Planned Development.

Margy Deverall said the workgroup is looking at a conversion zoning classification that would be useful in older neighborhoods with an older house that was converted into a multi-family unit.

Steve Schreckengast asked if there is a single-family home in an R3 zone, and someone wants to turn it into apartments, this would limit the number of apartments you could put into the building.

KD Benson thought that was the direction the R1A zone was heading.

Margy Deverall said there could be an R1A, B, C and D or the Conversion zoning could be a separate zoning classification all by itself to protect those older neighborhoods and homes. She said staff has looked at the R1U zone, the highest-density residential zone and found that the maximum number of lots per acre that could be subdivided using a minimum-sized lot is eleven. She said it would be helpful to analyze existing apartment communities and compare densities.

b. Mulch sales and enclosing dumpsters

Kathy Lind said she has done some research regarding other Indiana counties' Zoning Ordinances and how they deal with mulch and dumpsters, and has found several counties' Ordinances. She said she will present her findings to the Administrative Officers meeting tomorrow. She then pointed out that several of those counties have a separate planning agency for cities within the county. She further discussed Hendricks County's Ordinance, which provides an Agriculture-Business zone in which the sale of mulch is permitted. She also said the Hendricks County Ordinance also states that any service structure that can be seen from the first floor of a residence or street shall be screened, and a service structure includes loading docks, propane tanks, and dumpsters.

Steve Schreckengast said if there is a dumpster in a commercial area that cannot be seen from a residence, it does not need to be screened.

Kathy Lind pointed out the Ordinance also states it must be screened if it can be seen from a street.

Mark Hermodson asked if the regulation applies to commercial businesses.

Kathy Lind said that if the dumpster was not visible from a street, then the regulation would not apply.

Steve Schreckengast said it was his understanding the motivation behind screening dumpsters was because garbage tends to pile up around the dumpster. He asked if the Ordinance requires dumpsters to be enclosed, what is the plan of action when garbage starts to pile up outside and around the fence or enclosure.

Kathy Lind said that staff felt there was a need for this Ordinance amendment because of the frequency that the question came up. She said commercial developers are often surprised to find out that Tippecanoe County does not regulate dumpsters.

Steve Schreckengast asked if the idea is to have a county-wide dumpster Ordinance, which would span all jurisdictions.

Kathy Lind responded that issue would be discussed at the Administrative Officers' meeting.

Dave Williams asked if the Ordinance would regulate large garbage cans on wheels.

Kathy Lind said those would not fall under the ordinance.

Steve Schreckengast said there have been situations where the issue was with the way the dumpster was used and it was becoming unsightly. He does not believe enclosing the dumpsters would change the way they are used. He asked how the jurisdictions enforce trash and litter laws now.

KD Benson said the city garbage pick-up does not pick up apartment dumpsters, or do commercial pick-up. She said that an apartment landlord would have to hire a waste management service to pick up dumpsters.

Dave Williams gave a particular example of an apartment building's dumpster sitting on the sidewalk because it was difficult for the waste management truck to maneuver into the parking lot.

Steve Schreckengast said he thinks there is a better way to handle the individual dumpster situation.

Dave Williams agreed.

KD Benson agreed, however; she feels visitors might get a bad impression of the city because of the unregulated dumpsters. She thinks the solution might lie in removing dumpsters off of the street, instead of enclosing them.

Gary Schroeder asked how the ordinance could be effectively enforced.

Steve Schreckengast asked if West Lafayette City Hall had a dumpster.

Dave Buck, West Lafayette City Engineer, 609 W. Navajo Street, West Lafayette, IN, responded affirmatively and explained they were screened-in and the city picks up the trash.

KD Benson said she also does not favor the solution of building small sheds to house the dumpsters, either.

III. CITIZEN COMMENTS

None

IV. ADJOURNMENT

Mark Hermodson moved to adjourn. KD Benson seconded and the motion carried by voice vote.

Respectfully submitted,



Bianca Bullock
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director